

# State of South Dakota

## EIGHTY-FOURTH SESSION LEGISLATIVE ASSEMBLY, 2009

419Q0606

### HOUSE BILL NO. 1233

Introduced by: Representatives Pitts, Faehn, Hunhoff (Bernie), Krebs, Lucas, Lust, McLaughlin, Nygaard, Rounds, and Verchio and Senators Gray, Dempster, Gillespie, Haverly, and Heidepriem

1 FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the campaign finance  
2 reporting of the expenditures of certain organizations.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 12-27-18 be amended to read as follows:

5 12-27-18. No organization may make a contribution to a candidate committee, political  
6 action committee, or political party or make an independent expenditure expressly advocating  
7 the election or defeat of a candidate. An organization may make a contribution to a ballot  
8 question committee organized solely for the purpose of influencing an election on a ballot  
9 question and independent expenditures regarding the placement of a ballot question on the ballot  
10 or the adoption or defeat of a ballot question. Any organization making expenditures, equal to  
11 or exceeding fifty percent of the organization's annual income, for the adoption or defeat of a  
12 ballot measure is a ballot question committee. The prohibitions of this section do not apply to  
13 independent expenditures expressly advocating the election or defeat of a candidate by a  
14 qualified nonprofit corporation from its treasury funds. An organization may create a political



1 action committee. A violation of this section is a Class 1 misdemeanor.